

AMENDMENTS TO ASSEMBLY BILL NO. 917

Amendment 1

On page 2, in line 10, strike out “stops and stations.” and insert:
stops.

Amendment 2

On page 2, in line 13, strike out “stops and stations.” and insert:
stops.

Amendment 3

On page 3, in line 6, after “a” insert:
city, county,

Amendment 4

On page 3, in line 6, after “city” insert:
and county,

Amendment 5

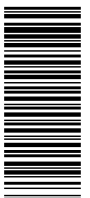
On page 3, in line 13, strike out “city or” and insert:
city, county, city and

Amendment 6

On page 3, in line 15, after the second comma insert:
county, city and

Amendment 7

On page 3, in line 19, strike out “stop or station.” and insert:
stop.



Amendment 8

On page 3, in line 23, after the first comma insert:

county, city and

Amendment 9

On page 3, in line 24, strike out “or station”

Amendment 10

On page 3, in line 39, strike out “or station”

Amendment 11

On page 4, in line 17, strike out “city or” and insert:

city, county, or city and

Amendment 12

On page 5, in line 7, strike out “stop or station,” and insert:

stop,

Amendment 13

On page 6, in line 25, after “a” insert:

city,

LEGISLATIVE COUNSEL'S DIGEST

AB 917, as amended, Bloom. Vehicles: video imaging of parking violations.

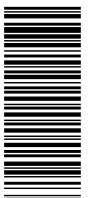
Existing law authorizes the City and County of San Francisco (San Francisco) and, until January 1, 2022, the Alameda-Contra Transit District, to enforce parking violations in specified transit-only traffic lanes through the use of video imaging and to install automated forward facing parking control devices on city-owned public transit vehicles for the purpose of video imaging parking violations occurring in transit-only traffic lanes, as specified. Existing law requires a designated employee, who is qualified by San Francisco, or a contracted law enforcement agency for the Alameda-Contra Costa Transit District, who is qualified by the city and county or the district to issue parking citations, to review video image recordings for the purpose of determining whether a parking violation occurred in a transit-only traffic lane and to issue a notice of violation to the registered owner of a vehicle within 15 calendar days, as specified. Existing laws makes these video image records confidential, and provides that these records are available only to public agencies to enforce parking violations. Existing law provides that if the Alameda-Contra Costa Transit District implements an automated enforcement system as described above, the district is required to submit a report to specified committees of the Legislature by no later than January 1, 2021.

This bill would extend the authorization described above to any public transit operator in the state indefinitely. The bill would expand the authorization to enforce parking violations to include violations occurring at transit ~~stops and stations~~ stops. The bill would repeal the obsolete reporting requirement of the Alameda-Contra Costa Transit District.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings regarding the need to make certain video image records confidential.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.



[AMENDED IN...]

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 917

Introduced by Assembly Member Bloom

[Date introduced]

[Title will go here]

LEGISLATIVE COUNSEL'S DIGEST

AB 917, as introduced, Bloom. Vehicles: video imaging of parking violations.

[Text of Legislative Counsel's Digest will go here]

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THIS PAGE IS A MOCKUP OF THE MEASURE AS IT WILL BE PUBLISHED

PROPOSED AMENDMENTS TO ASSEMBLY BILL NO. 917

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 917

Introduced by Assembly Member Bloom

February 17, 2021



An act to amend Sections 40240 and 40241 of, and to repeal Section 40240.5 of, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL’S DIGEST

AB 917, as introduced, Bloom. Vehicles: video imaging of parking violations.

Existing law authorizes the City and County of San Francisco (San Francisco) and, until January 1, 2022, the Alameda-Contra Transit District, to enforce parking violations in specified transit-only traffic lanes through the use of video imaging and to install automated forward facing parking control devices on city-owned public transit vehicles for the purpose of video imaging parking violations occurring in transit-only traffic lanes, as specified. Existing law requires a designated employee, who is qualified by San Francisco, or a contracted law enforcement agency for the Alameda-Contra Costa Transit District, who is qualified by the city and county or the district to issue parking citations, to review video image recordings for the purpose of determining whether a parking violation occurred in a transit-only traffic lane and to issue a notice of violation to the registered owner of a vehicle within 15 calendar days, as specified. Existing laws makes these video image records confidential, and provides that these records are available only to public agencies to enforce parking violations. Existing law provides that if the Alameda-Contra Costa Transit District implements an automated enforcement system as described above, the district is required to submit

AB 917

— 2 —

a report to specified committees of the Legislature by no later than January 1, 2021.

This bill would extend the authorization described above to any public transit operator in the state indefinitely. The bill would expand the authorization to enforce parking violations to include violations occurring at transit ~~stops and stations~~. *stops*. The bill would repeal the obsolete reporting requirement of the Alameda-Contra Costa Transit District.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings regarding the need to make certain video image records confidential.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

Page 2

1 SECTION 1. Section 40240 of the Vehicle Code is amended
2 to read:
3 40240. (a) A public transit operator, as defined in Section
4 99210 of the Public Utilities Code, may install automated forward
5 facing parking control devices on city-owned or district-owned
6 public transit vehicles, as defined by Section 99211 of the Public
7 Utilities Code, for the purpose of video imaging of parking
8 violations occurring in transit-only traffic lanes and at transit ~~stops~~
9 ~~and stations~~. *stops*. Citations shall be issued only for violations
10 captured during the posted hours of operation for a transit-only
11 traffic lane or during the scheduled operating hours at transit ~~stops~~
12 ~~and stations~~. *stops*. The devices shall be angled and focused so as
13 to capture video images of parking violations and not unnecessarily
14 capture identifying images of other drivers, vehicles, and
15 pedestrians. The devices shall record the date and time of the
16 violation at the same time as the video images are captured. Transit
17 agencies may share the relevant data, video, and images of parking
18 violations collected by automated forward facing parking control
19 devices with the local parking enforcement entity and local agency
20 in the jurisdiction where the violation occurred.

Amendment 1

Amendment 2

Page 3

3 (b) Prior to issuing notices of parking violations pursuant to
4 subdivision (a) of Section 40241, a public transit operator, in
5 partnership with a *city, county, city and county*, or local
6 enforcement authority, shall commence a program to issue only
7 warning notices for 30 days and shall also make a public
8 announcement of the program at least 30 days prior to
11 commencement of issuing notices of parking violations.

12 (c) A designated employee of a ~~city or~~ *city, county, city and*
13 *county*, or a contracted law enforcement agency for a special transit
15 district, who is qualified by a *city, county, city and* county, or
16 district to issue parking citations, shall review video image
17 recordings for the purpose of determining whether a parking
18 violation occurred in a transit-only traffic lane or at a transit ~~stop~~
19 ~~or station~~. *stop*. A violation of a statute, regulation, or ordinance
20 governing vehicle parking under this code, under a federal or state
21 statute or regulation, or under an ordinance enacted by a *city,*
23 *county, city and* county, or special transit district occurring in a
24 transit-only traffic lane or at a transit ~~stop or station~~ observed by
25 the designated employee in the recordings is subject to a civil
26 penalty.

27 (d) The registered owner shall be permitted to review the video
28 image evidence of the alleged violation during normal business
29 hours at no cost.

30 (e) (1) Except as it may be included in court records described
31 in Section 68152 of the Government Code, or as provided in
32 paragraph (2), the video image evidence may be retained for up
33 to six months from the date the information was first obtained, or
34 60 days after final disposition of the citation, whichever date is
35 later, after which time the information shall be destroyed.

36 (2) Notwithstanding Section 26202.6 of the Government Code,
37 video image evidence from forward facing automated enforcement
38 devices that does not contain evidence of a parking violation
39 occurring in a transit-only traffic lane or at a transit ~~stop or station~~
1 shall be destroyed within 15 days after the information was first
2 obtained.

3 (f) Notwithstanding Section 6253 of the Government Code, or
4 any other law, the video image records are confidential. Public
5 agencies shall use and allow access to these records only for the
6 purposes authorized by this article.

Page 4

Amendments 3 & 4

Amendment 5
Amendment 6

Amendment 7

Amendment 8
Amendment 9

Amendment 10

Page 4 12 (g) The following definitions shall apply for purposes of this
 13 article:
 14 (1) “Local agency” means a public transit operator as defined
 15 in Section 99210 of the Public Utilities Code or a local ~~city or city,~~
 16 *county, or city and* county parking enforcement authority.
 18 (2) “Transit-only traffic lane” means any designated transit-only
 19 lane on which use is restricted to mass transit vehicles, or other
 20 designated vehicles including taxis and vanpools, during posted
 21 times.

22 SEC. 2. Section 40240.5 of the Vehicle Code is repealed.

36 SEC. 3. Section 40241 of the Vehicle Code is amended to read:

37 40241. (a) A designated employee of the local agency,
 38 including a contracted law enforcement agency, shall issue a notice
 40 of parking violation to the registered owner of a vehicle within 15
 Page 5 1 calendar days of the date of the violation. The notice of parking
 2 violation shall set forth the violation of a statute, regulation, or
 3 ordinance governing vehicle parking under this code, under a
 4 federal or state statute or regulation, or under an ordinance enacted
 5 by the local agency occurring in a transit-only traffic lane or at a
 6 transit ~~stop or station,~~ *stop*, a statement indicating that payment is
 7 required within 21 calendar days from the date of citation issuance,
 8 and the procedure for the registered owner, lessee, or rentee to
 9 deposit the parking penalty or contest the citation pursuant to
 10 Section 40215. The notice of parking violation shall also set forth
 11 the date, time, and location of the violation, the vehicle license
 12 number, registration expiration date, if visible, the color of the
 13 vehicle, and, if possible, the make of the vehicle. The notice of
 14 parking violation, or copy of the notice, shall be considered a
 15 record kept in the ordinary course of business of the local agency
 16 and shall be prima facie evidence of the facts contained in the
 18 notice. The local agency shall send information regarding the
 19 process for requesting review of the video image evidence along
 20 with the notice of parking violation.

24 (b) The notice of parking violation shall be served by depositing
 25 the notice in the United States mail to the registered owner’s last
 26 known address listed with the Department of Motor Vehicles.
 27 Proof of mailing demonstrating that the notice of parking violation
 28 was mailed to that address shall be maintained by the local agency.
 29 If the registered owner, by appearance or by mail, makes payment
 30 to the processing agency or contests the violation within either 21

Amendment 12

Page 5 31 calendar days from the date of mailing of the citation, or 14
32 calendar days after the mailing of the notice of delinquent parking
33 violation, the parking penalty shall consist solely of the amount
34 of the original penalty.

35 (c) If, within 21 days after the notice of parking violation is
36 issued, the local agency determines that, in the interest of justice,
37 the notice of parking violation should be canceled, the local agency
38 shall cancel the notice of parking violation pursuant to subdivision
39 (a) of Section 40215. The reason for the cancellation shall be set
40 forth in writing.

Page 6 1 (d) Following an initial review by the local agency, and an
2 administrative hearing, pursuant to Section 40215, a contestant
3 may seek court review by filing an appeal pursuant to Section
4 40230.

5 (e) A local agency or a contracted law enforcement agency,
7 may contract with a private vendor for the processing of notices
8 of parking violations and notices of delinquent violations. The
9 local agency shall maintain overall control and supervision of the
11 program.

13 SEC. 4. The Legislature finds and declares that Section 1 of
14 this act, which amends Section 40240 of the Vehicle Code, imposes
15 a limitation on the public’s right of access to the meetings of public
16 bodies or the writings of public officials and agencies within the
17 meaning of Section 3 of Article I of the California Constitution.
18 Pursuant to that constitutional provision, the Legislature makes
19 the following findings to demonstrate the interest protected by this
20 limitation and the need for protecting that interest:

21 In order to protect the individual privacy rights of those
22 individuals depicted in video camera footage relating to parking
23 violations, it is necessary that this act limit the public’s right of
24 access to the images captured by an automated parking control
25 device installed on public transit vehicles owned by a *city*, county,
26 city and county, or transit district.

| Amendment 13

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